

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 08/02/2022

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FUJIAN OCEAN SHIPPING CO. LTD.,	:
individually and on behalf of M/V ZHENG RUN	:
(IMO No. 9593816), and M/V ZHENG RONG	:
(IMO No. 9593828),	:
	:
Plaintiff,	:
	:
-against-	:
	:
O.W. BUNKER FAR EAST (S) PTE. LTD.,	:
EQUATORIAL MARINE FUEL	:
MANAGEMENT SERVICES PTE LTD.,	:
SINANJU MARINE SERVICES PTE LTD.,	:
GLOBAL MARINE TRANSPORTATION PTE	:
LTD., GLOBAL ENERGY TRADING PTE LTD.	:
and ING BANK N.V.,	:
	:
Defendants.	:
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16-CV-401 (VEC)

OPINION & ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 1, 2016, Fujian Ocean Shipping Co. Ltd. (“Fujian”) deposited \$1,972,392.60 in the Court’s registry to stand as security in this interpleader action, Deposit Order, Dkt. 12; Cashiers Office Receipt (Feb. 1, 2016 text entry);

WHEREAS on March 28, 2022, the Court resolved cross-summary judgment motions filed by Global Energy Trading Pte Ltd. (“GET”) and ING Bank N.V. (“ING”), *Fujian Ocean Shipping Co. v. O.W. Bunker Far E. (S) PTE. Ltd.*, No. 16-CV-401, 2022 WL 902668 (S.D.N.Y. Mar. 28, 2022);

WHEREAS the Court found that “ING is entitled to \$1,315,247.52 (the invoice amounts) plus \$50,276.33 (prejudgment interest) minus the attorneys’ fees and costs to be awarded to Fujian following either the parties’ agreement on that issue or the Court’s resolution of a new fee

application,” and that “Fujian is entitled to \$606,868.75, the remaining amount on deposit, plus the attorneys’ fees and costs that ultimately will be awarded,” *id.* at *18;

WHEREAS on July 29, 2022, the parties filed a proposed stipulation and order with respect to the disbursement of the \$1,972,392.60 on deposit with the Court, Prop. Stip., Dkt. 107;

WHEREAS on August 2, 2022, the Court granted the parties’ request that the monetary terms in the proposed stipulation and order be kept under seal, Endorsement, Dkt. 108;

WHEREAS pursuant to the proposed stipulation, [REDACTED] is to be disbursed to Fujian’s attorneys in this action, to then be disbursed by them in accordance with the Settlement Agreement, Prop. Stip, Dkt. 107 at 3;

WHEREAS the proposed stipulation also states that “the balance of the Interpleader Fund, comprising [REDACTED] [is to] be deposited into an interest-bearing account under the Court’s CRIS system,” *id.*;

WHEREAS given that the Interpleader Fund totals \$1,972,392.60, following a disbursement of [REDACTED] to Fujian’s attorneys, [REDACTED] (and not [REDACTED]) would comprise the balance of the Interpleader Fund and would remain deposited with the Court; and

WHEREAS the proposed stipulation accordingly leaves [REDACTED] unaccounted for and on deposit in the Court registry’s non-interest bearing account.

IT IS HEREBY ORDERED that by no later than **Friday, August 12, 2022**, the parties must file a letter explaining the unaccounted for [REDACTED] or alternatively, the parties may file a revised proposed stipulation and order accounting for the entire Interpleader Fund.

SO ORDERED.

Date: August 2, 2022
New York, NY



VALERIE CAPRONI
United States District Judge